

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM B. FITZSIMMONS,

Plaintiff,

v.

TRACY MURGER, et al.,

Defendants

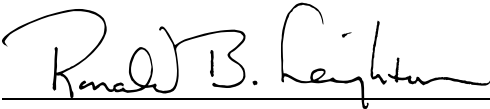
No. 10-5494RBL/JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's motion to proceed in forma pauperis is DENIED and this action is DISMISSED WITH PREJUDICE as FRIVOLOUS.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 8th day of October, 2010.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE